

**Nueces Estuary Advisory Council (NEAC) Meeting
Tuesday, October 22, 2013, 1:30 p.m.
Harte Research Institute
Texas A&M University– Corpus Christi
Corpus Christi, TX 78412**

Minutes

Members Present: Chris Loft, Chair; Jace Tunnell (for Ray Allen); Ruben Solis; Paul Carangelo; Ginny Cross (for Foster Edwards); Rocky Freund; Con Mims; Brent Clayton; Carola Serrato; James Tolan; Wes Tunnell; John Adams; Teresa Carrillo; Paul Orser

Call to Order

Chris Loft, Chair called the meeting to order. The NEAC members and alternates present introduced themselves.

Public Comment

No public comments were made at this time.

Approval of April 23, 2013 Meeting Minutes

Paul Carangelo name was added to the member's present list and members unanimously approved the amended April 23rd, 2013 minutes.

SAC Work Plan Funding Recommendations and Process

Chairman Chris Loft gave a brief overview on the status of the potential funding from the legislature adopted Rider in the Appropriations Bill that provided \$2.0 million during the next biennium for the purpose of continued study of environmental and instream flows for basins. Ruben Solis, TWDB, explained that the SAC's letter to the Environmental Flows Advisory Group (EFAG), dated September 10th, 2013, recommended an even split of \$312,500 between the four eflow's basins deemed eligible, inclusive of the Nueces. Mr. Solis explained that the funds would have to be spent by the end of the biennium (i.e. August 2015). Mr. Solis suggested that stakeholders focus on prioritizing work plan projects in accordance with the SAC's funding recommendations for projects as well as develop RFP's and scoring criteria for received proposals. He stated that TWDB will assist stakeholder groups by soliciting proposals and administering contracts. In addition, he stated that other basins such as the Brazos expressed interest in collaborating on cross basin projects, but that no process is setup at this point and time and the effort would need to be stakeholder driven. Members inquired as to when the EFAG would next meet and Mr. Solis stated that no meeting has been scheduled. Jace Tunnell informed the NEAC that Tom Ballou and he had previously prepared a short list of projects that could be a starting point for further evaluation of suitable priority projects. Member's briefly discussed these projects with regards to whether the project has funding currently, the project's costs and time of completion. Members agreed that a subcommittee of Nueces BBASC members should reevaluate projects within a 3-week timeframe from this meeting and present their recommendations to the full NEAC group.

Other Potential Funding of Work Plan Implementation

No other potential funding sources for work plan implementation were discussed by members.

E-flows Draft Rule Proposal for the Nueces Basin

Kathy Alexander, TCEQ Technical Specialist for the Water Availability Division, provided an update on the status of the Eflows Draft Rule Proposal for the Nueces Basin. She stated that the draft rule was published on September 4th, 2013 in the Texas Register, that the formal public comment period closed October 21, 2013, and that approximately 2,000 comments were received for all three basins, inclusive of the Nueces. She indicated that all formally filed comments would be responded to and that the rule is set to be tentatively adopted in February 2014. Members inquired as to what avenues there are to provide input on the rule from this point forward and Dr. Alexander stated that although they could not be formally submitted, comments can be informally submitted up to the point the rule is approved by the Commission. James Tolan, TPWD and NEAC member, questioned the designation by TCEQ of Nueces Bay as ecologically sound and expressed that that TPWD did not agree with this designation. Rocky Freund clarified that the Nueces BBEST made this declaration rather than the BBASC and that the proposed rule does not explicitly state the bay as ecologically sound. Con Mims inquired into a provision in the stakeholder recommendations that would require any new water right applications greater than 500 acre-feet be made available to the Nueces BBASC. Chris Loft and Kathy Alexander responded that the correct avenue to attain this information would be for individuals to be added to the interested parties list for new water right applications in the Nueces basin which would alert parties anytime a new application is submitted. Dr. Alexander also stated that the rules have a reopener clause which provides for revision of the rules at minimum every 10 years or by an alternate revision schedule as dictated in the Nueces BBASC's Work Plan for Adaptive Management.

Update on Allison WWTP Meeting with TCEQ

Jace Tunnell discussed the history of the Allison WWTP project and presented new information attained during a recent meeting with TCEQ and others concerning options for re-establishing the project. He stated one of the major factors affecting the project is finding a way for the City of Corpus Christi to meet ammonia limitations (4 mg/l for delta) set by federal regulations. Suggested strategies to circumvent this issue were to increase the retention times within cells with riser boards, change monitoring points, conduct a pilot project with more intensive sampling, re-configure cells as tertiary treatment, and/or increase pre-treatment standards for specific facilities. Mr. Tunnell stated that most likely a mixture of strategies would be effective and that a smaller meeting between interested parties is scheduled for October 29th, 2013 at TCEQ Headquarters.

Other Items

Jace Tunnell raised the subject of the banked water issue brought up at the last NEAC meeting. Members discussed how to proceed forward with modifying the agreed order as well as what to do with the 22,000 acre-feet of water already banked within Lake Corpus Christi. Mr. Tunnell mentioned that the SMART inflow management modeling

and document will be completed in fall 2014 and brought to the NEAC for discussion. Members agreed that the SMART Inflow modeling and document should be completed prior to the City of Corpus Christi requesting to modify the agreed order. Members inquired as to how banking could be affected by accounting requirements for evaporation if a new order is drafted and Mr. Tunnell explained that the timeframe for future banking and utilization of the banked water will have a several month window versus the current banking process which doesn't take into account evaporation.

Next Meeting

The next meeting of the NEAC is tentatively scheduled for Wednesday, December 11, 2013 at 1:30 p.m.

Public Comment

No public comment at this time.

Adjourn